

I certify that the attached is a true and correct copy of HB 326, which was filed of record on JAN 14 1985 and referred to the committee on: Human Services

Betty Murray
Chief Clerk of the House

FILED JAN 14 1985

By Keller

HB. No. 326

A BILL TO BE ENTITLED

AN ACT

relating to the practice of speech-language pathology or audiology by certain persons with speech, voice, language, or hearing disorders.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 9, Chapter 381, Acts of the 68th Legislature, Regular Session, 1983 (Article 4512j, Vernon's Texas Civil Statutes), is amended by adding Subsection (q) to read as follows:

(q) This Act does not apply to a person who has a speech, voice, language, or hearing disorder and who provides services that may constitute the practice of speech-language pathology or the practice of audiology to a person with a similar disorder, if compensation is not received for the services and the person providing the services does not represent that he is licensed under this Act.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

HOUSE COMMITTEE REPORT

1st Printing

1985 APR 11 PM 12:12
HOUSE OF REPRESENTATIVES

By Keller

H.B. No. 326

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COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

4/10/85
(date)

Sir:

We, your COMMITTEE ON HUMAN SERVICES, to whom was referred H.B. 326 have had the same under consideration and beg to report back with the recommendation that it (measure)

- ☒ do pass, without amendment.
☐ do pass, with amendment(s).
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. ☒ yes ☐ no An actuarial analysis was requested. ☐ yes ☒ no

An author's fiscal statement was requested. ☐ yes ☒ no

The Committee recommends that this measure be placed on the ~~(House)~~ or ~~(Senate)~~ Calendar.

This measure ☐ proposes new law. ☒ amends existing law.

House Sponsor of Senate Measure _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Barton, Ch.	✓			
Clemons, V.C.		✓		
Vowell, C.B.O.	✓			
Cooper	✓			
Evans, L.				✓
Guerrero				✓
Luna, G.	✓			
McKinney	✓			
Wilson				✓

Total
5 aye
1 nay
0 present, not voting
3 absent

Cecilia Bartol
CHAIRMAN
Laura Calfee
COMMITTEE COORDINATOR

BILL ANALYSIS

Background Information

In 1983 the 68th Legislature enacted a licensing requirement for speech-language pathologists and audiologists. The requirement applies generally to anyone practicing speech-language pathology or audiology or representing himself or herself as a practitioner. The scope of this requirement currently covers a person with a speech or hearing disorder who provides pathology- or audiology-related services. HB 326 would provide a licensing exemption for such a person under certain conditions.

Purpose of the Bill

The bill would exempt from the licensing requirement persons with speech or hearing disorders who provide pathology or audiology services if they (1) receive no compensation for the services, and (2) do not represent themselves as licensed practitioners.

Section by Section Analysis

SECTION 1. Amends Section 9 of Article 4512j, Vernon's Texas Civil Statutes, by adding subsection (q) as a licensing exemption for a person with a speech, voice, language, or hearing disorder who provides pathology or audiology services to others with a similar disorder if no compensation is received and the person does not represent that he or she is licensed.

SECTION 2. Emergency clause.

Rulemaking Authority

It is the committee's opinion that this bill does not delegate rulemaking authority to a state officer, agency, department, or institution.

Summary of Committee Action

Public notice was posted in accordance with the Rules of Procedure of the House of Representatives and a public hearing was held on February 20, 1985.

The bill was referred to a subcommittee consisting of the following members: Rep. Vowell - Chair, Rep. L. Evans, Rep. Wilson. On March 21, the measure was reported to the full committee without amendments.

On April 10, the full committee voted to report HB 326 to the House without amendments and the recommendation that it do pass by a record vote of 5 ayes and 1 nay.

Testifying against HB 326 was Patricia Cole, speech pathologist,
Texas Speech, Language, and Hearing Association.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 8, 1985

Honorable Erwin Barton, Chair
Committee on Human Services
House of Representatives
Austin, Texas

In Re: House Bill No. 326
By: Keller

Sir:

In response to your request for a Fiscal Note on House Bill No. 326 (relating to the practice of speech-language pathology or audiology by certain persons with speech, voice, language, or hearing disorders) this office has determined the following:

No fiscal implication to the State or units of local government is anticipated.


Jim Oliver
Director

Source: Department of Health;
LBB Staff: JO, JH, CD, DS

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

May 6, 1985

Honorable Chet Brooks, Chairman
Committee on Health and Human Resources
Senate Chamber
Austin, Texas

In Re: House Bill No. 326,
as engrossed
By: Keller

Sir:

In response to your request for a Fiscal Note on House Bill No. 326, as engrossed (relating to the practice of speech-language pathology or audiology by certain persons with speech, voice, language, or hearing disorders) this office has determined the following:

No fiscal implication to the State or units of local government is anticipated.


Jim Oliver
Director

Source: Department of Health;
LBB Staff: JO, JH, CD, PA

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 8, 1985

Honorable Erwin Barton, Chair
Committee on Human Services
House of Representatives
Austin, Texas

In Re: House Bill No. 326
By: Keller

Sir:

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Jim Oliver
Director

Source: Department of Health;
LBB Staff: JO, JH, CD, DS

ENGROSSED
SECOND READING

By Keller

H.B. No. 326

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HOUSE ENGROSSMENT

By Keller

H.B. No. 326

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H: B. No. Keller

By 326

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JAN 14 1985

1. Filed with the Chief Clerk.

JAN 29 1985

2. Read first time and Referred to Committee on

Human Services

APR 10 1985

3. Reported favorably (~~as amended~~) and sent to Printer at 5:40 p.m. (~~as substituted~~)

APR 11 1985

4. Printed and distributed at 12:12 P.M.

APR 11 1985

5. Sent to Committee on Calendars at 1:57 P.M.

APR 29 1985

6. Read second time (~~amended~~); passed to third reading (~~failed~~) by (Non-Record Vote) (~~Record Vote of~~ years, nays, present, not voting).

7. Motion to reconsider and table the vote by which H.B. _____ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ years, _____ nays, and _____ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ years, _____ nays, and _____ present, not voting.

APR 30 1985

9. Read third time (~~amended~~); finally passed (~~failed~~) by (Non-Record Vote) (~~Record Vote of~~ years, nays, present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ years, _____ nays, and _____ present, not voting).

APR 30 1985

12. Ordered Engrossed at 10:31am

APR 30 1985

13. Engrossed.

APR 30 1985

14. Returned to Chief Clerk at 6:23 p.m.

MAY 1 1985

15. Sent to Senate.

Betty Murray
Chief Clerk of the House

MAY 1 1985

16. Received from the House

MAY 2 1985

17. Read, referred to Committee on HEALTH AND HUMAN RESOURCES

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

21. Regular order of business suspended by

(a viva voce vote.)
(_____ years, _____ nays.)

05 APR 11 PM 12:12

OFFICE OF REPRESENTATIVE

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

OTHER ACTION:

Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments.)
(as substituted.)

_____ 29. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record
(Substitute) Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 32. Ordered Enrolled at _____